

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ASSATA ACEY,	:	
<i>Plaintiff</i>	:	<b>CIVIL ACTION</b>
v.	:	
	:	
INDUCTEV,	:	
<i>Defendant</i>	:	<b>No. 23-1438</b>

**ORDER**


**AND NOW**, this 27<sup>th</sup> day of February 2024, upon consideration of Plaintiff's Motion for Summary Judgment (Doc. No. 5) and Defendant's Motion to Dismiss for Failure to State a Claim (Doc. No. 10), for the reasons explained in the accompanying memorandum, it is hereby **ORDERED** as follows:

1. Plaintiff's Motion for Summary Judgment (Doc. No. 5) is **DENIED**;
2. Defendant's Motion to Dismiss (Doc. No. 10) is **GRANTED IN PART** and **DENIED**

**IN PART** as follows:

- a. Counts I, II, III, IV, IX, XIV, and XX are **DISMISSED WITH PREJUDICE**;
- b. Counts XIII, XV, and XVI are **DISMISSED WITHOUT PREJUDICE**;
- c. The Motion to Dismiss (Doc. No. 10) is **DENIED** with respect to Counts V, VI, VII, VIII, X, XI, XII, XVII, XVIII, and XIX.

**BY THE COURT:**

  
**GENE E.K. PRATTER**  
**UNITED STATES DISTRICT JUDGE**